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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION  
11

12 UNITED STATES OF AMERICA,	) NO. CR-17-491-RS
	)
13 v.	) STIPULATION AND <del>[PROPOSED]</del> ORDER
	) CONTINUING STATUS CONFERENCE DATE
14 MARC HOWARD BERGER,	)
	)
15 Defendant.	)
	)
16	)

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17  
18 The parties appeared before the Court on October 3, 2017 for a status conference on an  
19 indictment charging Defendant Marc H. Berger with assisting in the preparation of a false tax return.  
20 Since then, the government has begun producing discovery and the parties are actively engaged in  
21 discussions related to a discovery and motions schedule. The parties agree that additional time would  
22 assist them in making progress in that regard so that motion and trial dates can potentially be set at the  
23 next calling.  
24

25 Accordingly, the parties hereby agree and stipulate that the status conference date, currently set  
26 for November 7, 2017, will be continued to December 12, 2017 at 2:30 p.m. for a status conference  
27 before Judge Seeborg for Mr. Berger, who is out of custody on pre-trial release.

28 The parties agree that the ends of justice served by granting such an exclusion of time outweigh

STIPULATION AND [PROPOSED] ORDER  
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1 the best interests of the public and the defendant in a speedy trial. 18 U.S.C. Section 3161(h)(7)(A).  
2 The parties agree to extend the time limits of Rule 5.1 during this period as well.  
3 SO STIPULATED.  
4

5 Dated: November 3, 2017

/s/

MIRANDA KANE

Attorney for Defendant Marc H. Berger

ALEX G. TSE (CABN 152348)

First Assistant United States Attorney

Attorney for the United States

Acting Under Authority Conferred by 28  
U.S.C. § 515

11 Dated: November 3, 2017

/s/

ROBERT S. LEACH

Assistant United States Attorney

/s/

LORI HENDRICKSON

Trial Attorney

U.S. Department of Justice, Tax Division

17 ~~PROPOSED~~ ORDER

18 For the foregoing reasons, the Court HEREBY ORDERS that the date for the status conference in this  
19 matter is re-set for Defendant Marc H. Berger for December 12, 2017 at 2:30 p.m. before Judge  
20 Seeborg. The Court further ORDERS that the time from the date of this Order through December 12,  
21 2017 for Defendant Marc H. Berger shall be excluded from any calculations under 18 U.S.C. § 3161 and  
22 Rule 5.1 of the Federal Rules of Criminal Procedure.  
23

24 **IT IS SO ORDERED.**

26 Dated: 11/6/17



HON. RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE